

at that point, cutting the tubes at each such fused portion to produce a dispenser composed of two side by side tubes having closely sealed both end portions which are connected to each other and a central portion and pulling apart the central portion to separate the central portion of each tube from the central portion of the other tube.

REMARKS

As a result of the foregoing amendment, Claim 9 has been amended. Claims 6 and 9 are pending in this application.

Initially, Applicants would like to thank the Examiner for considering this Amendment.

Applicants have hereinabove amended Claim 9 to provide that the plastic tubes are fused together at a length of 2 to 15 mm. Support for this amendment is found in the specification at page 12, lines 9-10. Applicants have also hereinabove amended Claim 9 to provide that the end portions of the two side by side tubes are closely sealed. Support for this amendment is found in specification at page 9, lines 9-11. A copy of Claim 9 as it existed prior to this amendment is attached with the changes made herein shown with underlines. No new matter has been added in amended Claim 9.

In the Advisory Action, the Examiner has maintained the rejection of Claims 6 and 9 as being obvious over the combination of U.S. Patent No. 4,017,030 issued to Coplan et al. (hereinafter "the '030 patent") and U.S. Patent No. 5,993,843 issued to Sakurada et al

(hereinafter "the '843 patent"). Applicants respectfully request reconsideration and withdrawal of this rejection.

First, Applicants respectfully reassert their arguments with respect to the '030 patent and the '843 patent made in the Amendment of October 4, 2001.

Furthermore, Applicants respectfully submit that neither the '030 patent nor the '843 patent disclose, teach or suggest that the plastic tubes be fused together at a length of 2 to 15 mm as required by the present claims, as amended. The Examiner relies upon the '030 patent to teach that the plastic tubes are fused. However, neither the '030 patent nor the '843 patent teach the length for the tubes to be fused. The present invention, though, shows that pheromone-dispensers in which the plastic tubes are fused together at a length of 2 to 15 mm are unexpectedly superior to pheromone-dispensers prepared where the plastic tubes are fused together at a length less than 2 mm or greater than 15 mm. Please see Examples 1-3 in the specification which show plastic tubes being fused together at end points of 2, 4 and 10 mm and Comparative Examples 1-3 in which the end point of the plastic tubes are fused at 0.5, 1 and 20 mm.

The combination of the '030 patent and the '843 patent also does not disclose, teach or suggest the step of "cutting the tubes at each such fused portion to produce a dispenser composed of two side by side tubes having closely sealed both end portions which are connected to each other and a central portion" as required by the present claims, as amended. The Examiner relies on the '030 patent to teach this step, however, the '030 patent clearly does not disclose, teach or suggest a step of cutting the plastic tubes to produce a dispenser composed of tubes having closely sealed both end portions. Rather, it is clear that

one end of the tubes in the process of the '030 patent must be open because of the nature of the place where the tubes are cut. Please see Applicants' arguments in the October 4, 2001 Amendment. Accordingly, the combination of the '030 patent and the '843 patent does not disclose, teach or suggest the step of cutting the plastic tubes to produce a dispenser composed of tubes having closely sealed both end portions.

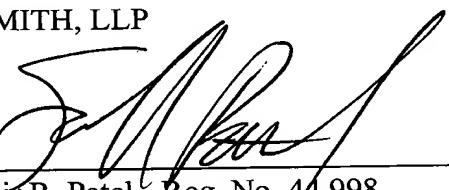
Applicants therefore respectfully request that this rejection be withdrawn.

In view of the foregoing, it is respectfully submitted that the claims are in condition for allowance and favorable reconsideration and prompt notice to that affect are earnestly solicited.

Respectfully submitted,

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MARKED UP COPY OF CLAIM 9

9. A method for preparing an annular sustained release pheromone-dispenser comprising arranging a plurality of continuous plastic tubes filled with a liquid synthetic sex pheromone by aspiration, fusing the tubes at a range of 2 to 15 mm together at predetermined points by heating under pressure to connect the tubes to each other at that point, cutting the tubes at each such fused portion to produce a dispenser composed of two side by side tubes having closely sealed both end portions which are connected to each other and a central portion and pulling apart the central portion to separate the central portion of each tube from the central portion of the other tube.